

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Elimination of Main Studio Rule	)	
	)	MM Docket No. 17-106
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**COMMENTS OF BRYAN BROADCASTING CORPORATION, HONEY CREEK  
BROADCASTING, LLC, POINT BROADCASTING COMPANY AND CANYON  
MEDIA CORPORATION**

Bryan Broadcasting Corporation,<sup>1</sup> Honey Creek Broadcasting, LLC,<sup>2</sup> Point Broadcasting Company,<sup>3</sup> and Canyon Media Corporation<sup>4</sup> (“Broadcasters”) hereby file comments in support of the Commission’s proposal to eliminate the main studio rules that currently apply to broadcasters.<sup>5</sup> As set forth in detail below, the FCC need not have a rule that subsidizes the commercial real estate industry in order to encourage broadcasters to serve their communities. That community service is the hallmark of the local broadcaster, and it is what distinguishes the broadcaster from all of the other competitors now squaring

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<sup>1</sup> See Declaration of Ben Downs, Vice President and General Manager of Bryan Broadcasting Corporation (“Downs Declaration”). Bryan Broadcasting Corporation is the licensee of several AM and FM stations in East and Central Texas.

<sup>2</sup> See Declaration of Edwin Brand, Managing Member of Honey Creek Broadcasting, LLC (“Brand Declaration”). Honey Creek is the licensee of two FM stations in Iowa.

<sup>3</sup> See Declaration of John Hearne, President of Point Broadcasting Company (“Hearne Declaration”). Point and its various subsidiaries and affiliated companies in Southern California, including Point Five LLC, operate over 20 AM and FM stations in California.

<sup>4</sup> See Declaration of M. Kent Frandsen, President of Canyon Media Corporation (“Frandsen Declaration”). Mr. Frandsen is the president and CEO of Canyon Media Corporation and an attributable interest holder in over 20 AM and FM stations in Utah, Idaho, and Wyoming.

<sup>5</sup> 47 CFR § 73.1125 (the “Main Studio Rule”).

off against broadcasters in the media marketplace. As the Commission has recognized, the requirement for a physical main studio is a remnant of another era in broadcasting and in commerce generally, when all communications took place in person. That simply is no longer the norm, and the FCC rules should not reflect an old reality.

As noted in the attached declaration of Edwin Brand of Honey Creek Broadcasting, local broadcasting can be equated to local interaction, which generates local interest and increased listenership.<sup>6</sup> It is in a broadcaster's best interest to serve its local community, because from a marketplace perspective, community engagement is what brings in the advertising dollars. It is not having a physical presence that causes community service or fosters this interaction. Instead, it is the very nature of local broadcasting which results in this connection between any successful broadcaster and its community.

As Ben Downs of Bryan Broadcasting aptly notes:

“[The Main Studio Rule] does not make shoddy broadcasters better; it only makes them a tenant. But for a broadcaster with a desire to serve, lifting this rule unshackles them to use new found resources in creative ways.”<sup>7</sup>

The justification for eliminating this rule cannot be stated any better than that. Spending money on real estate prevents it from being spent on more productive uses in a station's operations.

In short, there many reasons to support this proposal. First, with the public inspection file already online for many stations and online for the remaining stations by March 1, 2018, the sole remaining regulatory purpose for a main studio will be gone. Under the current rules, no programming need be originated at a main studio, and no meetings are required to be held at a main studio. When the public file is gone, there will be nothing that,

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<sup>6</sup> See Brand Declaration at 2.

<sup>7</sup> See Downs Declaration at 2.

under the rules, must happen at the main studio.

Second is the more practical reason that the mandatory studio serves no purpose in actually fostering a connection with the public. Given today's technology, most meetings are held by phone or electronically. As news can be covered, particularly for radio, from just about anywhere using a cell phone or other IP technology, there is simply no need for a physical main studio. While TV stations that produce news may still need a studio, there is nothing, in the rules or practically, that requires that the news be produced in any location dictated by the FCC's main studio rules. Interactions with the local community currently take place not by viewers or listeners walking into a main studio, but instead by electronic communications or by phone. The elimination of the need for a main studio will not affect such communications.

Finally, the elimination of the main studio will free up capital which could be used to better serve the local community. The current requirement for a main studio, in some cases, actually serves a disincentive to local service. As detailed below, in some cases, the establishment of a local radio station to serve a rural community may be foregone by a broadcaster as the continuing cost of maintaining a physical presence staffed by station employees outweighs any economic benefit that the station would create. By being able to save the costs otherwise being spent on a mandatory physical presence in a community, the community may actually receive new service.

Thus, Broadcasters enthusiastically support the Commission's proposal to eliminate the Main Studio Rule. This should not be viewed as an attempt to cut back on the underlying obligations that broadcasters be available to the communities they serve. Instead, the change is a rational reaction to the realities of the current marketplace, and to

manner in which business actually occurs as a result of changes in the technological and competitive landscape that have occurred since the rule was adopted almost 80 years ago.

## **I. INTRODUCTION AND BACKGROUND**

The Main Studio Rule requires all AM, FM and television stations to maintain a main studio (1) within the station's community of license, (2) at any location within the principal community contour of any AM, FM, or TV broadcast station licensed to the station's community of license, or (3) within twenty-five miles from the reference coordinates of the center of its community of license.<sup>8</sup> In 1988, when reviewing the main studio rules, the Commission stated that the primary role of the main studio is to "facilitate the key function of serving the needs and interests of the residents of the station's community of license."<sup>9</sup> To fulfill this function, the FCC has required that a station must "equip the main studio with production and transmission facilities that meet applicable standards, maintain continuous program transmission capability, and maintain a meaningful management and staff presence."<sup>10</sup> The Commission has interpreted this staffing requirement to mean that a main studio "must, at a minimum, maintain fulltime managerial and full-time staff personnel,"<sup>11</sup> reasoning that a "meaningful management and staff presence will help expose stations to community activities, help them identify community

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<sup>8</sup> See 47 C.F.R. § 73.1125(a).

<sup>9</sup> *Amendment of Sections 73.1125 and 73.1130 of the Commission's Rules, the Main Studio and Program Origination Rules for Radio and Television Broadcast Stations*, Memorandum Opinion and Order, 3 F.C.C.R. 5024, 5026 (1988) ("MO&O"), *erratum issued*, 3 FCC Rcd 5717 (1988) (correcting language in n.29).

<sup>10</sup> *Id.*

<sup>11</sup> See *Jones Eastern of the Outer Banks, Inc.*, Memorandum Opinion and Order, 6 FCC Rcd 3615, 3616 (1991) ("*Jones Eastern*") (noting that, "This is not to say that the same staff person and manager must be assigned full-time to the main studio. Rather, there must be management and staff presence on a full-time basis during normal business hours to be considered 'meaningful.'"), *clarified*, 7 FCC Rcd 6800 (1992) ("*Jones Eastern II*").

needs and interests and thereby meet their community service requirements.”<sup>12</sup> The FCC eliminated the requirement that a station originate any specific amount of programming from the main studio in 1987.<sup>13</sup>

Today’s media and technological landscape is drastically different than it was when the Commission last revisited the main studio rules 30 years ago, and the policy rationale of maintaining a main studio, i.e., that it would serve as the primary means in which broadcasters could connect with the community serve, no longer rings true. The maintenance of a main studio does not serve the public – in fact their main studios get very few (if any) visits by community members, either to see the public file or otherwise.<sup>14</sup> Certainly, many people communicate with broadcast stations by telephone calls. And, importantly, the Internet and social media has become ubiquitous and is where listeners go to seek information, provide feedback, offer commentary and information, and otherwise engage with their local broadcasters.<sup>15</sup>

Yet despite this massive transformation to the digital marketplace, broadcasters remain tethered to the brick and mortar era. This is especially burdensome given that competition in the media industry is fiercer than ever, with new online streaming and on-demand services cropping up daily to compete with broadcasters for advertising dollars. Eliminating the Main Studio Rule will relieve broadcasters from the financial burdens that

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<sup>12</sup> *MO&O* at 5026.

<sup>13</sup> *Amendment of Sections 73.1125 and 73.1130 of the Commission’s Rules, the Main Studio and Program Origination Rules for Radio and Television Broadcast Stations*, Report and Order, 2 FCC Rcd 3215 (1987) (“*Main Studio Report and Order*”).

<sup>14</sup> See Downs Declaration and Brand Declaration.

<sup>15</sup> The Commission itself recently recognized this when it updated its policy implementing its equal employment opportunity (EEO) rules to find that Internet usage has “become sufficiently widespread” so as to permit broadcasters and MVPDs to use it as a sole recruitment source to meet the “wide dissemination” requirement in the rules. See *Petition for Rulemaking Seeking to Allow the Sole Use of Internet Sources for FCC EEO Requirements*, Declaratory Ruling, 32 FCC Rcd 3685 (2017).

their online competitors do not have, even the playing field, and allow broadcasters to reallocate capital so that it can engage with the community in a more effective, impactful manner. Accordingly, in light of the dramatic changes in technology and the marketplace, it is time to eliminate the Main Studio rules and bring the Commission's rules governing broadcasters into the 21<sup>st</sup> century.<sup>16</sup>

## **II. THE COMMISSION SHOULD ELIMINATE THE MAIN STUDIO REQUIREMENTS**

Broadcasters agree with the Commission's tentative conclusion that the widespread availability of electronic communications, coupled with adoption of the online public file requirement, largely eliminates the need for a physical main studio. As described by the Broadcasters in the attached Declarations, the maintenance of a main studio is expensive and staffing issues often present challenges, especially in rural areas where local talent may be difficult to come by. For example, Bryan Broadcasting Corporation spends approximately \$37,000 each year to staff and maintain main studios in communities of 900 and 1800 residents, respectively. Money that could otherwise be spent covering "meetings, fundraisers, rodeos, and special events"<sup>17</sup> is instead used to cover operating costs, rent, utilities, and employees who are "chained to a chair" all day with nothing but the empty duty of fulfilling the requirements of the Main Studio Rule.

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<sup>16</sup> Notably, the Commission relaxed its main studio rules in 1987 for these very same reasons. In that proceeding, the Commission noted that "current broadcast technology and innovative production methods enable stations to present programming in numerous ways and from a diversity of locations," while "competitive marketplace forces compel stations to utilize a diversity of programming sources and formats to meet the interests and needs of their communities," *Main Studio Report and Order* at 3218. It further noted that maintaining a "studio in the community of license was no longer required to assure that a station is physically accessible to residents," observing that "residents generally communicate with a station by telephone or mail, neither dependent on locale." *Id.*

<sup>17</sup> See Downs Declaration at 1.

Likewise, Point Five, LLC (“Point Five”), the licensee of KIHT(FM), Amboy, California, demonstrates the considerable staffing challenges faced by small rural stations. Amboy<sup>18</sup> is located along Route 66 (the famous pre-war two-lane highway between Chicago and LA) and the station provides service to motorists on an unpopulated stretch of Interstate 40 mid-way between Barstow and the California-Nevada border. KIHT and its sister station, KWIE, serve a primarily mobile audience, offering contiguous coverage, including updates on traffic and weather, to motorists as they travel through the Mojave Desert. Amboy itself, however, only has a population of 4, and there is no local talent to draw from. As a result, at least one employee has to travel over one hour each way every day from Barstow to Amboy to staff the station’s main studio.

Burdens such as those described above border on the absurd, and far outweigh any benefits offered by the maintenance of a main studio. In fact, these burdens discourage the initiation of service to rural areas. The costs of maintaining a staffed main studio in small, rural communities may well outweigh the economic benefits that a broadcaster can recoup from service to these areas.<sup>19</sup> If there is no economic benefit, then the service will not be established, depriving these areas of new reception services.

Few, if any, members of the public ever visit Broadcasters’ main studios (and there will be even fewer with the migration to an online public file), because that is simply not what consumers do today to get their service needs met. Main studios that are located far from the populated city centers (often done in an effort to keep costs down), or are in rural areas can be particularly inconvenient to get to, making visits even less likely. Conversely,

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<sup>18</sup> The town's business district contains a post office, a historic restaurant-motel named “Roy’s Motel & Café,” and a Route 66 tourist shop. With a population of 4, the motto of this small town is “The Ghost Town That Ain’t Dead Yet!”

<sup>19</sup> See Hearne Declaration at 1-2.

interaction with the public online is robust and has helped broadcasters foster community trust through increased transparency and accountability. Broadcasters maintain websites for their stations which contain not only information about local community events, but station contact information, including phone numbers and email addresses, and links to their social media accounts, where members of the public can and do engage.

Digital and social media has become a practical business necessity for any broadcaster. For example, Canyon Media Corp. owns a group of stations within the St. George, Utah market. In this market with a population of 190,000, Canyon's Facebook pages cumulatively have 75,000 Facebook fans, with the average post reaching 120,000 people.<sup>20</sup> Canyon has recently acquired the St. George News, an online newspaper, to increase its digital footprint in the community that it serves, deepening the ties to its community. The reality is that this type of community engagement is more effective and more in touch with modern times than the required maintenance of a manned main studio.

Advances in technology likewise eliminate the need to maintain a main studio for the purposes of originating programming. The fact is that much of the programming listeners hear today does not emanate from main studios, even though the facilities are capable of originating programming.<sup>21</sup> With today's ubiquitous portable cellular devices, programming can originate from anywhere with little more than a dial-up coupler to the transmitter.<sup>22</sup> Such flexibility is especially critical in cases of severe weather or emergencies, where broadcasters must remain nimble and originate from any point in order to provide up-to-the-minute coverage. Conversely, requiring two employees to sit in an office for 8 hours a day

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<sup>20</sup> See Frandsen Declaration at 1.

<sup>21</sup> See Brand Declaration at 2.

<sup>22</sup> See Downs Declaration at 1.



serves no public interest benefit, as they cannot gather news, cover emergencies, or otherwise engage with their communities.

In short, the public interest justification for the main studio no longer exists. The studio is not a way to engage with the community. Instead, it is a real estate expense seldom if ever visited by members of the public. The costs allocated to the maintenance of a studio and the personnel to man it are no longer justified. Thus, the abolition of the requirement for the main studio is in the public interest, and the FCC should promptly act to adopt its proposed changes to the rules.<sup>23</sup>

### **III. CONCLUSION**

For the foregoing reasons, Broadcasters support the elimination of the Main Studio Rule.

Respectfully submitted,

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<sup>23</sup> Broadcasters have no objection to the FCC's proposals to require a phone line to connect residents with representatives of the station, as any good broadcaster will maintain such a connection in any case. Given the ubiquity of telephone plans with no long distance fees, it is unclear that a toll-free number is a concept that continues to make sense in today's world. Similarly, Broadcasters have no objection to an obligation that any broadcaster who wants to take advantage of the main studio rule's elimination have already converted to the online public file, though, given the timing of the comments in this proceeding, any change in the rule will likely be effective at about the same time that all stations will need to have an online public file.

## **DECLARATION OF BEN DOWNS**

I, Ben Downs, Vice President and General Manager of Bryan Broadcasting Corporation, licensee of several AM and FM stations in East and Central Texas, hereby declare under penalty of perjury that the following is true and correct of the best of my knowledge, information and belief:

I support the attached comments in favor of eliminating the Main Studio rule. My reasons are simple; by removing this requirement, I will be better able to serve our community.

I have three important caveats to my support of removing the Main Studio rule:

1. A station has completed the transition to an on-line public file
2. A station maintains a local number
3. A station maintains a method to broadcast emergency messages on the air.

In my particular case, I have two FM stations (KKEE and WTAW-FM) located in tiny Texas markets of 900 and 1800 residents respectively. Under no circumstances would these stations be able to afford to field a staff such as we have at our College Station, TX stations.

Currently, I spend approximately \$37,000 in payroll and rent to maintain the station's main studio. If I did not have to keep these people staffing a main studio location from 9-5 on the odd chance that someone might want to see the public inspection file, I know exactly what I would do. I would do just as I have in another tiny market: I would hire an entry level reporter their first job as a news person and tell them to cover every meeting, fund raiser, rodeo, and special event.

One cannot gather news or make an impact in the community by sitting in an office all day. To truly provide service a station's staff has to join community organizations and volunteer their time and the station's airtime to promote the important, albeit small, events that bring a community a sense of place and community pride.

In a town as small as these two, I can't afford a full staff as I have in the other markets. Requiring that my budget for salary be spent to staff an office for 8 hours a day is inefficient and brings nothing of benefit to a community. Perhaps if there had been a visitor to see the public inspection file I would feel differently, but so far... there have been *none*.

Heard alone, some of the arguments against this rule change can seem persuasive. Emergency communication is a concern. But unless the emergency happens between 9 and 5 the current rule is a false comfort. A radio station is far, far more valuable to a community when served by a responsible person with a dial-up coupler to the transmitter. There is nothing magic about a studio with an address. With today's ubiquitous portable cellular devices, emergency information can originate from anywhere.

Indeed, dozens of times a year, EAS provides severe weather alerts outside of the 9-5 workday without a main studio being staffed and open for business.

The on-line public file obviates the need to have two people available at a main studio. The question becomes: what are they supposed to do when the public inspection file is no longer at a particular address? Truly, if they are 'chained to their chairs' as the current rules require *they have no duties*. This is an inefficiency a station with limited resources cannot afford.

I have also heard that there is a thought some station owners will abandon a market when given this opportunity. The rules currently require a licensee to operate with two on-site employees. Yet responsible licensees in larger markets have chosen to go above and beyond these minimum staffing requirement. And if my competitor should decide to abandon the market, then I will reap the benefit of being a source of local news and service they have eschewed.

Years ago the FCC removed their oversight on programming content. Requiring a main studio is not a substitute for assuring superior community service. The public will decide and the issues/programs list will document that effort.

I hesitate to mention this because I do have great respect for what the Commission and staff have done to help broadcasters – especially in the area of AM revitalization. But until recently, with the migration to the online public file, even the FCC has not maintained an easily accessible database of main studio locations for FM stations. Since the day form 302-FM was revised in 2002, there is no address associated with a station's main studio in any license application. The only obligation to notify the FCC of the location of a main studio is when that location changes. In the initial license application, there is only a simple certification that the main studio exists. Truly, until I move to an on-line public file, even the FCC doesn't know where my main studio is located. It remains known only to my staff and Google. This is a strong argument for how unnecessary this 80 year old rule has become.

Removing the main studio requirement is a big change in the rules. If it takes effect, it will change nothing in the operation of my financially secure markets. But in the two very small communities we also cover, it will provide the budget I need to provide Buffalo and Centerville, Texas more meaningful and greater service oriented programming. Truth: News and community involvement cost money and always have.

This rule does not make shoddy broadcasters better; it only makes them a tenant. But for a broadcaster with a desire to serve, lifting this rule unshackles them to use new found resources in creative ways.

Signed and dated this 30<sup>th</sup> day of June, 2017.



Ben Downs

## **DECLARATION OF EDWIN BRAND**

I, Edwin Brand, Managing Member of Honey Creek Broadcasting, LLC, licensee of two FM stations in Iowa (KMGO, KEDB), hereby declare under penalty of perjury that the following is true and correct of the best of my knowledge, information and belief:

- I concur with the Commission's tentative assessment that the current main studio rule provisions (which require full-time staffing and maintaining of broadcast station facilities in the interest of communicating with the public) are no longer relevant or necessary in today's modern world, given the exciting technological advancements in social media communications, electronic communications and electronic access to broadcast station information. As such, I agree that the Commission rule requiring broadcast stations to maintain a local main studio should be eliminated in its entirety.
- With regard to my company's particular situation in southern Iowa, I would proudly note for the Commission that our broadcast stations actively seek to provide tremendous public service to our rural communities throughout our licensed coverage area. Our communities of license are far from the extent of the actual areas containing listeners we provide public service to. Traveling to visit our licensed main studio facilities for the purpose of communicating and/or interacting with the stations from these rural areas is considered an inconvenience for the majority of our listeners, especially given the context of how easily social media and electronic communications have enabled and empowered the public to have access to our stations at their convenience. Modern communication methods, such as social media and email, have enabled our listeners to instantly communicate emergency notices, closings, public events and other such timely public service information for us to immediately broadcast. It is worth pointing out that many of these important and emergency communications from the public come after-hours, when the main studio rule does not require a staff presence at the station, essentially negating the main reasoning behind the rule (that someone should be available for the public to see in person - the implied current rule test for serving the local public). The transparency and availability of our stations via our social media outlets has actually fostered more trust from the public. It makes our stations accountable to the public in online forums as to how good of a job we do servicing them, and it allows for a 24/7 communication channel to reach us. In the past, despite maintaining a staffed main studio facility as required by current FCC rules, members of the public rarely visited to interact in face-to-face dealings with the station staff. Now, through our online presence, the public is able to access us in a convenient, affordable, and timely fashion. This more efficient process allows us to provide the public with much better service than what was conceived under current FCC main studio rules.
- I also assert in relation to this proceeding that the very listeners served by broadcast stations today face similar inherent challenges as broadcast licensees. Time and budget constraints affect us all, in both private and public situations. Specifically, they limit the availability members of the public have to interact with broadcast stations. As such, the public expects broadcast entities to serve them as efficiently as possible, just as they've become accustomed to in other facets of their lives. As an example, one wouldn't expect to drive to the home office of one's credit card processor (whichever state it may be

based in), just to make a simple payment or to access one's account. The standard is to complete such transactions efficiently online via the public internet, or to a lesser extent, via telephone communications. Broadcast stations acting in the service of the public are now expected to act in similar efficient fashion. Members of the public expect programming from a broadcast station when they tune in. If they should need to interact with the broadcast station, they expect modern mechanisms to be in place to facilitate communications similar to those they utilize in other normal day to day experiences. As such, the main studio rule requiring broadcast facilities have a physical and manned presence is actually counterintuitive to what many modern consumers in the public expect, desire, and even demand.

- My company owns and operates small-market radio stations which serve rural areas of southern Iowa. Our licensed coverage area is fixed, as is essentially the yearly revenue we are able to operate with from advertising sales. We are limited to a certain budget range each year when considering profit and expense. It's no secret that the economic factors affecting nearly all communities and industries in the United States, especially rural areas, have also had a tremendous impact on broadcast stations (which acquire revenue primarily through advertising sales). Broadcast stations all over the United States have had to tighten their proverbial belts, and make tough decisions in an effort to streamline operations and garner the most utility from every bit of revenue. From these notions, I assert that compliance with the current main studio rule imposes an undue and unfair burden on terrestrial broadcasters that is not realized by online internet competition which also vies for the same advertising dollars as licensed terrestrial broadcast stations. We have "brick and mortar" fixed costs of property, utilities, taxes and staffing, in addition to other costs that must be paid to meet current FCC rules requirements. I urge the Commission to remove this imposed unfair burden on broadcast stations by entirely eliminating the main studio requirement rule. Doing so would most certainly free up broadcast station budget monies, which would be used to further promote local area public service throughout local communities. Reducing the amount of expense broadcast stations have allows us flexibility to cover more public service happenings while still staying within our budgeted operating parameters.
- As to the question of local programming and whether it will suffer as a result of the elimination of the main studio rule, I can certainly answer regarding my specific operations. My broadcast stations are automated to reduce costs. Broadcast station automation does not mean, and should in no way imply, that a station is not locally-oriented, locally-programmed, or does not locally-serve its communities. Our licensed studios maintain the necessary equipment so as to meet the main studio rule requirements set forth by the FCC, so as to be able to originate programming from them if necessary. In practice, this never occurs. Our primary automation software resides at the tower transmission plant. Our broadcast signal enjoys the pleasant benefit from this arrangement of achieving better audio quality from being directly coupled with our transmission equipment. This in turn certainly makes for a much higher quality listening experience for the public we serve. Modern technology now gives us the ability to instantly broadcast on-air from any location, via a hand-held smartphone which can access the station airchain. For remote and sport broadcasts, we have routing mechanisms

in place that directly patch these external broadcasts directly into our automation system at the tower site. Essentially, we can lose power at our required main studio, yet still broadcast on the air with no interruption noticed by the listeners. This is especially critical and effective in case of severe weather, as our transmission plant employs backup power generation equipment, enabling us the ability to serve the public by broadcasting emergency alert messages to help keep listeners safe and informed. Despite our programming being automated in an effort to operate efficiently and keep costs down, we continue to super-serve the public by promoting various public events and airing local notices and emergency notifications to listeners throughout our local, licensed coverage area. We do this with the above-described equipment installation scenario. Essentially, we currently serve the public with local programming without the necessity of the main studio, which we only maintain to comply with current FCC rules.

- On a personal note, I have been involved in the broadcast industry since I was 12 years old. Throughout that time, I have never had, nor heard of an in-person request to see any of my station public files. To my knowledge, this holds true for the entire history of the stations. On occasion, we have had calls from political organizations asking for advertising rates, which we have happily serviced over the phone, which in turn saved their representatives the travel time to view the file in person. However, it should be noted that this common situation has now all but been eliminated due to the transition of the broadcast station public file online. For reference, our broadcast stations typically have less than two visitors a week who stop by the studios, usually to quickly leave a copy of a flyer for a public service announcement or event. The majority of public interaction we enjoy at the stations comes from our online social media platforms, or through other electronic communications, such as email.
- With regard to the false notion that broadcast stations would cease to provide community service in their local markets if the main studio rule is eliminated, it is worth remembering that in a competitive environment, such as media advertising, the public still enjoys a fair amount of control over station programming indirectly with their spending dollars. Local programming by a station can be equated to local interaction, which naturally generates local interest and increased listenership. That increased listenership has the pleasant effect of an increase in potential advertising revenue. As broadcast stations are profit-driven entities which are inherently charged by their licensed operation with serving the public interest, it only seems natural that regardless of what or where the facility or mechanism used to originate and distribute programming is, to maximize profits, effective local programming and interaction will continue to remain a key necessity of station operations, regardless of the elimination of the current main studio rule.
- In addition to electronic communications (social media, email), my broadcast stations utilize a toll-free number which is forwarded to staff member cell phones on a 24/7 basis. This provides for the public to always have the ability to contact the stations, and at the very least, receive a call back in a short time if a situation prevents the number from being answered.

- I assert that in order to be eligible to entirely eliminate its main studio and programming origination requirements, a broadcast station should be required to immediately transition all public file materials to the FCC online portal.

Signed and dated this 30<sup>th</sup> day of June, 2017.

A handwritten signature in black ink, appearing to be 'EDW BRAND', written over a horizontal line.

Edwin Brand



## **STATEMENT OF POINT BROADCASTING COMPANY**

Point Broadcasting Company ("PBC") enthusiastically supports the pending proposal to eliminate the Main Studio Rule for radio broadcast stations.

PBC holds attributable interests in numerous rural and small market radio broadcast stations in California and has decades of experience serving the public in those areas.

In this age of networked and syndicated programming, voice tracking, crowdsourced content, music servers, automated scheduling, remote transmitter control, and immediate public access via the internet and mobile phones, the entire concept of a local main studio as envisioned in the current Main Studio Rule is obsolete.

Talent to produce and perform high quality broadcast programming, whether entertainment, news or public affairs, is not readily available in rural and small communities. With rare exception, high quality content must be imported to a station via networking, syndication and voice tracking to achieve excellent programming in all but the largest major market stations.

Contrary to the rationale underlying the local Main Studio Rule, doing so does not make a station any less responsive to its community of license and service area.

In fact, just the opposite occurs, as the internet, mobile phones, social media and crowdsourcing establish direct real-time electronic links between the audience and the talent producing and performing the programming. Those links are far closer and immediate than those that could be obtained by the rare walk-in of a member of the public to visit a main studio.

One of our affiliates has a station in Amboy, California, a community with a population of just 4 persons. However, the station provides radio broadcast service to over 12,000 drivers each day along a totally unpopulated stretch of Interstate 40 between Barstow, California and the California border with Nevada and Arizona.

This station fills a compelling public interest need, and to do so it must rely on talent from our broadcast operations centers in Lancaster and elsewhere that are well known to the station's audience from their shows on other stations we operate in the adjacent region. Yet it is still very responsive and familiar to its Interstate 40 audience and the 4 citizens of Amboy.

The Main Studio Rule thus contributes nothing to the audience of this station and the public at large in its service area. It merely constitutes a drain on station resources with no countervailing public interest benefit.

Such costs are substantial. For instance, eliminating the security, equipment and personnel expenses of having to maintain a publicly accessible main studio would save an average of at least \$4000 per month at each of four of our most rural and remote stations. For just these four tiny rural stations alone, savings would exceed \$192,000 annually across just these four stations.



If the Main Studio Rule is eliminated, those dollars can be repurposed by us for more community outreach via social media, service improvements with upgraded equipment, and additional personnel for news, information and emergency services. All of which would directly improve the listening experience of our audience and public at large far more than can be achieved with the Main Studio Rule in effect.

Few, if any, of our stations these days experience walk-in visitors to see the Public Inspection File, or to make an inquiry or lodge a complaint. We are fully willing to post our Public Inspection File material on the FCC's website even though we are not yet required to do so, and we can maintain individual station telephone numbers and email addresses to make it easy for any member of the public to submit a complaint or to request to our regional management, programming or sales personnel that work in the radio broadcast market (whether rated or not) in which the remote station is located.

Emergency alerts systems likewise will not suffer by eliminating the Main Studio Rule. EAS Rules require that stations must provide EAS services to the area in which the main transmitter site is located. This can be different than the location where the main studio is located. Therefore, it is better to deliver EAS services directly to the transmitter site rather than first to the main studio site and then relayed to the transmitter site.

Many noncommercial stations already operate without a main studio, and the local communities they serve do not appear to be harmed as a result. The same will be true for commercial broadcasters if the Main Studio Rule is eliminated.

Respectfully submitted,

**Point Broadcasting Company**

A handwritten signature in cursive script that reads "John Hearne".

John Hearne, its President

Dated: July 3, 2017

### **DECLARATION OF M. KENT FRANDSEN**

I, M. Kent Frandsen, am the president and CEO of Canyon Media Corporation and an attributable interest holder in over 20 AM and FM stations in Utah, Idaho, and Wyoming. I hereby declare under penalty of perjury that the following is true and correct of the best of my knowledge, information and belief:

Our main studios are very expensive to maintain and, in today's world of Facebook, Twitter, and other social media, offer no meaningful public interest benefit. We have a robust online presence that keeps us highly engaged with our listeners. For example, Canyon Media's Facebook pages cumulatively have 75,000 fans, with the average post reaching 120,000. This is where we can and do interact with our listeners. Conversely, we have gotten virtually no visitors to our main studios, either to visit the public file or otherwise.

In addition, while our main studios are fully equipped to originate programming, the reality is that we don't use this equipment. With today's technology, we have the capability to originate programming from anywhere. Eliminating the main studio will allow us to be where the action is and to better serve our listeners. It is artificial to maintain our main studios when they do not serve the listeners.

Finally, eliminating the main studio requirement likewise will not have an impact on the provision of emergency services. Our EAS is executed from our main studio in St. George.

Signed and dated this 3rd day of July, 2017.

  
M. Kent Frandsen